

State and Tribal Opt-In Subcommittee Conference Call  
Thursday, February 11, 2016, 11 am EST  
Meeting Summary

***Montana State & Tribal Call***

**Introduction**

- Danielle kicks off with an introduction to the template, emphasizing the template is theoretical; don't feel constrained by that; it's for you guys to help set that stage
  - It's a collaboration -- will fairly quickly be trying to engage other constituencies from the government. Blackfeet will also be joining the MSG on a national level

**Montana Data Format**

- Most of what's asked for in the template is already public in our biennial report
- It's a PDF, but we're moving data onto Socrata
  - Socrata will be up and running Hopefully by summer
- For purposes of 2016 USEITI Report we would need to be working with 2015 data
  - Operate on a July 1st to June 30th FY, but they can also do a calendar year

**Revenue**

- How far down do you go with the data ?
  - For taxes
    - We go down to the county level
    - Property can get down to the county level; state taxes only go down to the state level
    - Just varies by tax
    - Suggests going down to the biennial report to understand what our tax structure looks like
  - In the late 1980s changed from a property tax based system on natural resources to severance
  - If you look on page 94 of the biennial report, this is our bentonite tax, the format is
    - Statute
    - Collection
    - History of tax rate
    - How they file
    - How the money is distributed
  - Revenues are largely severance taxes plus the 50% that ONRR Royalties that are paid to state on a monthly basis (page 123)
  - Montana does have state royalties -- Van will do that homework and check on that
    - They're under a different agency
    - Don't know how disaggregated their data is at this moment?

**Contextual Narrative**

- Danielle outlines contextual narratives
- Montana would have to work with their Department of Labor and Department of Environmental Quality to get some of the other data (costs borne by counties and cities, impacts on environment)
- Allocate now under the same way that it was in 1988 when they made the switch from property to severance taxes
- They have it broken out by: tax, local share, state share

**Montana's Relationship with Tribes**

- Some revenue sharing agreements with tribes
  - Don't have one with the Blackfeet
  - Would have to talk to legal counsel on whether or not its public
  - They may have their own taxing structure and they don't have insight into that
  - In the past, Blackfeet had an extraction tax; not sure if that's the case anymore
  - Crow have a mine, definitely have a production tax, but they do the compliance. They have a production tax, but MT is not privy to what's paid to them
  - State doesn't collect a tax on the coal -- they did originally, but it went to court and it was determined the state didn't have a right to
  - Pretty sure the taxes that they're collecting are mirror (from a tax rate and calculation) from what our state taxes are
    - If a non-Indian was digging a well into fee acreage they would tax
    - If it was on trust land and they had a non-Indian owner, they would tax that but not on the ONRR Royalties that are paid

### **Regulatory Frameworks**

- They would have to do some research, not off the top of their heads, for what DEQ does for the permitting of the mines
- Employment Data
  - They don't have that internally, are going to check with DoL
  - State DoL has a research unit that collects data - they collect the federal data, but they may have some other information beyond that

### **Closing**

- Leaders in Civil Society or Industry that we should make a point to reach out to, please let us know
  - Dave Chambers from Montana will be joining
- Alan Olson
  - Former legislator out of Roundup will be the head of Montana Mining Association; he might be a potential voice
- IA will be the point of contact, secretariat can help support